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2 UNITED STATES DISTRICT COURT
3 WESTERN DISTRICT OF WASHINGTON
4 AT TACOMA

5 TOBIN SATHER,

6 Plaintiff,

7 v.

8 WASHINGTON STATE
9 DEPARTMENT OF CORRECTIONS,
10 et al.,

11 Defendants.

CASE NO. C16-5503BHS-DWC

ORDER ADOPTING REPORT
AND RECOMMENDATION

12 This matter comes before the Court on the Report and Recommendation (“R&R”) of the Honorable David W. Christel, United States Magistrate Judge. Dkt. 32. The Court having considered the R&R and the remaining record, and no objections having been filed, does hereby find and order as follows:

- 14 (1) The R&R is **ADOPTED**;
- 15 (2) Defendant’s Motion for Summary Judgment (Dkt. 19) is **DENIED** as moot;
- 16 and
- 17 (3) Defendants DOC, Pacholke, and John Does are **DISMISSED** from this
- 18 action.

19 Dated this 23rd day of May, 2017.

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22 BENJAMIN H. SETTLE
United States District Judge